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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

The Reply Brief filed on November 26, 2001 has been entered and considered. A Response to Applicant's Remarks from the examiner is enclosed.

The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

Anh Vinh Nguyen

Madeleine Anh-Vinh Nguyen
Primary Patent Examiner
Art Unit 2622
January 17, 2002.

Art Unit: 2622

David

DETAILED ACTION

This communication is responsive to Reply Brief filed on November 26, 2001.

Response to Applicant's Remarks

1. Applicant remarks that an administrative and diagnostic device 5 can retrieve data related to reproduction apparatus use, feature utilization of the reproduction apparatus, paper consumption, and error history and billing. Nowhere is it disclosed or suggested that data related to the use of the apparatus or features of the apparatus is used to parse the error history and billing data.

In addition to the previous arguments, it is noted that Allen teaches "in cases where modem 4 is connected to a telephone system or private branch exchange (PBX) system, modem 4 may automatically place a service call, without operator intervention, when a diagnostic limit for any internal production apparatus error code is reached. The reproduction apparatus initiated remote diagnostic limit resides in non-volatile memory of the machine control and diagnostic circuitry 2 and conventionally defines an unacceptable number of error occurrences in an operating parameter of the reproduction apparatus." (Col. 4, lines 25-35). Thus, in case of any error in the reproduction 1, the modem automatically sends information of the error occurrences to the diagnostic and administrative device 5. Fig.5 is an exemplary diagnostic routine. In the

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case of receiving a service call from the modem 4, based on the information sent from the modem 4, the diagnostic and administrative device 5 initialize status database, select symptom (100, 101) using the first portion of the information. It then, based on the second portion of the information, selects unit diagnose (102) and "If a symptom code is received, step 104, the diagnostic routine jumps to step 105 which calls for a replacement or fixing of the unit." (Col. 5, lines 18-36). As previously stated, the second portion can also be error history and billing data for diagnostic, maintenance or repairing. Since the claimed invention is broadly claimed without limiting any specific subject matters of the first and second portion of the first information, Examiner has the right to have a broad interpretation based on the teaching of Allen.

2. Applicant assumes that Allen has no need or desire to use multiple communication protocols on the same communication channel.

It is clearly taught in Fig.1 that multiple communication protocols are used in the communication between the reproduction apparatus 1 (first device) and the diagnostic and administrative device 5 (second device) through the RS-232 interface (digital communication) or through modem 4 (analog communication). The communication using modem 4 can be in different public phone lines. For digital communication, Allen further teaches "It will, of course, be appreciated that other similar computer system interfaces may be substituted for the RS-232 interface, although the RS-232 standard is preferred." (Col. 3, lines 41-44). Noted that the term "RS-232 protocol", "RS-232 format signals" are taught when RS-232 interface is used (col. 3,

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lines 51-52, line 63, line 68). For analog communication, Allen further teaches that the public phone lines are a standard (public) non-dedicated telephone line (col. 3, line 50), telephone system or private branch exchange (PBX) system (col. 4, lines 26-27). It was commonly known in the art that different communications have different protocols. For instance in case of RS-232 interface, RS-232 protocol is used; and of course, in case of a public phone line, a public phone line protocol is used and in case of private branch exchange (PBX), a PBX protocol is used. Thus, it is sufficient enough to consider that Allen teaches the uses of different protocols. In addition, when using the terms “indirectly teaches” the uses of different protocols, the examiner wants to state that although Allen does not specifically teach the use of different protocols but through his teaching of using RS-232 protocol for the RS-232 interface, and the use of different communications, we can conclude that Allen teach the use of different protocols.

3. Applicant remarks that not only is a first portion of information used to do the parsing, but the parsing of the second portion and the diagnosing are both performed by the second device. Even if Allen and Hemmady could be combined, there would not be a single device which did both the parsing and diagnosing as recited in the claims.

Allen teaches that the parsing of the first and second portions and the diagnosing are performed in the diagnostic and administrative device 5 (a single device which does both the parsing and diagnosing). Since Allen does not directly teach that the second portion is for determining a format of the second portion, Hemmady is combined. Hemmady also teaches the

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used of different communications (col. 3, lines 23-36; col. 5, lines 9-51) within a plurality of end user systems (EUSs), (Figs.2-3). In addition to what stated in the rejection, Hemmady teaches that "Each particular EUS interface will define the protocol to effect delivery, the format of data and control messages, and the physical path for control and data." (Col. 52, lines 43-45).

Hemmady further teaches different protocol identifiers for different protocols and different link formats (col. 42, lines 53 - col. 44, line 23; col. 51, lines 47-67; col. 52, lines 43-47; col. 57, line 39 - col. 58, line 51; col. 62, lines 15-50). The reasons for combining Allen and Hemmady are both of them teach a device connection to a plurality of devices using different communications types (analog and digital communication types) with different protocols and formats.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted;



Madeleine Anh-Vinh Nguyen
Primary Patent Examiner
Art unit 2622
January 16, 2002